

## House Resolution 213

By: Representatives Smyre of the 135<sup>th</sup>, Hugley of the 136<sup>th</sup>, and Buckner of the 137<sup>th</sup>

## A RESOLUTION

1   Compensating Mr. Nakiya Jermaine Jackson; and for other purposes.

2   WHEREAS, on July 18, 2001, Mr. Nakiya Jermaine Jackson pled guilty to criminal charges  
3   for which he was sentenced to 15 years, to serve eight in the custody of the Georgia  
4   Department of Corrections; and

5   WHEREAS, subsequently, following the service of 44 months, a habeas corpus proceeding  
6   was held challenging the conviction, and, on January 23, 2004, Mr. Jackson was ordered  
7   released; and

8   WHEREAS, at the habeas corpus proceeding, eyewitnesses testified that Mr. Jackson was  
9   not present at the time that the crime was committed; and

10   WHEREAS, Mr. Jackson was also able to present evidence that his plea of guilty was  
11   entered into involuntarily based on threats and coercion; and

12   WHEREAS, in July, 2004, Mr. Jackson was released from prison, and, on May 1, 2017, the  
13   case was ordered nolle prossed by order of the Muscogee County Superior Court; and

14   WHEREAS, Mr. Jackson has suffered loss of liberty, personal injury, lost wages, injury to  
15   reputation, emotional distress, loss of consortium, loss of familial association, and other  
16   damages as a result of his almost four years of incarceration and expenses in trying to prove  
17   his innocence; and

18   WHEREAS, the conviction, incarceration, and subsequent loss of liberty and other damages  
19   occurred through no fault or negligence on the part of Mr. Jackson, and it is only fitting and  
20   proper that he be compensated for his loss.

21 NOW, THEREFORE, BE IT RESOLVED AND ENACTED BY THE GENERAL  
22 ASSEMBLY OF GEORGIA that the Department of Administrative Services is authorized  
23 and directed to pay the sum of \$500,000.00 to Mr. Nakiya Jermaine Jackson as compensation  
24 as provided above. Said sum shall be paid from funds appropriated to or available to the  
25 Department of Administrative Services and shall be in full and complete satisfaction of all  
26 claims against the state arising out of said occurrence. Said sum shall not be subject to state  
27 income taxes and shall be paid in the form of an annuity over a 20 year period with an initial  
28 lump sum payment of \$25,000.00 and monthly payments thereafter. None of the funds  
29 provided by this resolution shall be used to pay attorney's fees if such fees are calculated on  
30 a contingency fee basis.